



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of **McWethy**

Application No. 10/098,729

Attorney Docket No. 1032-P02469US1

COPY OF PAPERS  
ORIGINALLY FILED

Filed: March 15, 2002

For: RETRACTABLE NEEDLE MEDICAL  
DEVICE FOR INJECTING FLUID  
FROM A PRE-FILLED CARTRIDGE

Examiner:

Group Art Unit:

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

In response to the Notice to File Missing Parts, dated April 17, 2002,  
enclosed are the following:

1. Declaration and power of attorney for Robert McWethy, John Barker,  
and Bernardo Challiol
2. Declaration and power of attorney for Thor Halseth
3. Copy of Form PTOL-1533.
4. Filing Fee as set forth in the accompanying Fee Calculation Sheet.  
Applicants claims small entity status as identified in the filing fees paid.

Respectfully submitted,

DANN, DORFMAN, HERRELL & SKILLMAN  
A Professional Corporation  
Attorneys for Applicant(s)

By

  
Stephen H. Eland

PTO Registration No. 41,010

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JUL 15 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/098,729	03/15/2002	Robert McWethy	P02469US1

 000110  
 DANN DORFMAN HERRELL & SKILLMAN  
 SUITE 720  
 1601 MARKET STREET  
 PHILADELPHIA, PA 19103-2307

CONFIRMATION NO. 5304

## FORMALITIES LETTER



\*OC00000007880477\*

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Date Mailed: 04/17/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 870.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

07/18/2002 MBERHE 00000074 10098729

 01 FC:201  
 02 FC:205

 370.00 OP  
 65.00 OP

*A copy of this notice **MUST** be returned with the reply.*

MT Bayeno  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

# FEE TRANSMITTAL



Complete if known

Application Number: 10/098,729

Filing Date: March 15, 2002

First Named Inventor: McWethy

Group Art Unit:

Examiner Name:

Total Amt. of Payment: (1)+(2)+(3)= \$490

Attorney Docket Number: 1032-P02469US1

## METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to:

☐ Charge indicated fees

☒ Charge additional fees

☒ Credit overpayments

to the account of DANN, DORFMAN, HERRELL & SKILLMAN

Deposit Account Number 04-1406

2. Payment enclosed:

Check in the amount of \$490

## FEE CALCULATION

### 1. FILING FEE

#### Fee Description

Utility filing fee

Design filing fee

Plant filing fee

Reissue filing fee

Fee

370

SUBTOTAL (1) \$370

## FEE CALCULATION (continued)

### ADDITIONAL FEES

#### Fee Description

Surcharge-late filing fee or oath

Surcharge - late provisional filing fee or cover sheet

Extension for response within first month

Notice of Appeal

Filing a brief in support of an appeal

Request for oral hearing

Petition to revive unavoidably abandoned application

Petition to revive unintentionally abandoned application

Issue fee

Petitions to the Commissioner

Petitions related to provisional applications

Submission of Information Disclosure Stmt.

Recording each patent assignment per property

Other fee (specify) Advance Order (10 copies)

Fee Paid

65

55

SUBTOTAL (3) \$120

2.

Paid Extr Fee

Total Claims -20 = 19 x 18 =

Independent Claims -3 = 3 x 84 =

Multiple Dependent

(First presentation)

SUBTOTAL (2) \$0

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Submitted By:

Typed or

Printed Name Stephen H. Eland

Reg. Number 41,010

Deposit Account User ID

Signature

Date July 8, 2002

04-1406




Patent Application No. 10/098,729

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this Response and accompanying papers are being deposited on July 8, 2002 with the United States Postal Service as first-class mail in an envelope properly addressed to COMMISSIONER OF PATENTS AND TRADEMARKS, Washington, DC 20231

July 8, 2002

Date of Certificate

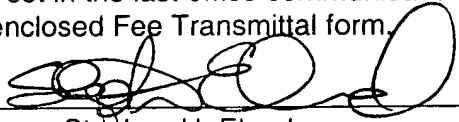
  
Stephen H. Eland  
PTO Registration No. 41,010

**Petition for Extension Under 37 CFR §1.136(a)**

Applicant's undersigned attorney hereby petitions for an extension of time of ONE month beyond the time period set in the last office communication. The proper fee is enclosed as identified in the enclosed Fee Transmittal form.

July 8, 2002

Date of Certificate

  
Stephen H. Eland  
PTO Registration No. 41,010

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